

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

WILLIAM L. CATHER and BRENDA L. CATHER,
husband and wife; CHARLES H. CATHER
and LINDA F. CATHER, husband and wife;
EVERET P. BICE, JR. and ELIZABETH BICE,
husband and wife; and ROBERT JUNIOR
HEMPHILL, Trustee of Trust A Created
Under the Hemphill Family Trust Dated
October 17, 1955, as Amended

Plaintiffs,

v. // CIVIL ACTION NO. 1:17CV208
(Judge Keeley)

EQT PRODUCTION COMPANY;
EQT GATHERING, LLC (d/b/a
"EQT MIDSTREAM"); EQT ENERGY, LLC;
EQT MIDSTREAM SERVICES, LLC;
EQT CORPORATION; and
EQUITRANS, L.P.,

Defendants.

SUMMARY ORDER FOLLOWING SCHEDULING CONFERENCE GRANTING-IN-PART
AND DENYING-IN-PART DEFENDANTS' MOTION TO DISMISS [DKT. NO. 15]

During a scheduling conference held on April 18, 2018, the Court addressed the pending motion for partial dismissal filed by the defendants (Dkt. No. 15). For the reasons stated on the record, the Court:

- **DENIED** the defendants' motion to dismiss plaintiffs' alter ego and breach of contract claims in Counts Four and Seven of the complaint;
- **GRANTED** the defendants' motion and **DISMISSED** plaintiffs' claims for fraud, civil conspiracy to commit fraud, and

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conversion in Counts Five, Six, and Eight of the complaint;

- **GRANTED** the defendants' motion and **DISMISSED** plaintiffs' claim for unconscionability and breach of the duty of fair dealing in Count Nine of the complaint;
- **GRANTED** the defendants' motion and **DISMISSED** plaintiffs' WVCCPA claims in Counts Ten and Eleven of the complaint; and
- **GRANTED** the defendants' motion and **DISMISSED** plaintiffs' claim for punitive damages in Count Thirteen of the complaint, as well as plaintiffs' request for attorneys' fees.

It is so **ORDERED**.

The Court directs the Clerk to transmit copies of this Order to counsel of record.

DATED: April 19, 2018.

/s/ Irene M. Keeley
IRENE M. KEELEY
UNITED STATES DISTRICT JUDGE